



November 13, 2003

BY COURIER

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Re: Colonial Gas Company, D.T.E. 03-90

Dear Ms. Cottrell:

Enclosed for filing please find an original and nine (9) copies of Bay State Gas Company's Motion to Intervene as a full party in the above referenced proceeding.

Thank you for your assistance with this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "P. French", written over a horizontal line.

Patricia M. French
Senior Attorney

cc: John Craven, Esq., Hearing Officer, DTE
Anne E. Leary, KeySpan Energy Delivery

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Colonial Gas Company d/b/a/)
Key Span Energy Delivery Petition
For Approval of 2002-2003 Exogenous
Costs Associated with Lost Base Revenues)

D.T.E. 03-90

**BAY STATE GAS COMPANY'S
MOTION FOR LEAVE TO INTERVENE**

Pursuant to 220 C.M.R. § 1.03, Bay State Gas Company ("Bay State") hereby moves the Department of Telecommunications and Energy ("Department") to grant it leave to intervene as a full party in this proceeding. In support of its motion to intervene and as good cause to permit its intervention, Bay State would state as follows:

- 1 Bay State is a jurisdictional gas company as defined in G.L. c. 164, §1.
2. Bay State's principal office is 300 Friberg Parkway, Westborough, Massachusetts 01581.
3. On September 17, 2003, Colonial Gas Company d/b/a Key Span Energy Delivery ("Colonial") filed with the Department a petition requesting recovery of their 2002-2003 Exogenous Costs associated with Lost Base Revenues.
4. On March 21, 2003, Bay State filed a petition for authority to recover exogenous costs associated with its lost base revenues. See Bay State Gas Co., D.T.E. 03-36. A Department order in that proceeding is still pending.
5. The Department may, in its discretion, allow any person to intervene as a party if that person is "substantially and specifically affected" by the proceeding. G.L. c. 30A, § 11 and 220 C.M.R. § 1.03.
6. Bay State is substantially and specifically affected because:
 - a. the outcome of this proceeding may directly impact Bay State's pending petition before the Department; and

b. the elements of the recovery of exogenous costs the Department may or may not endorse for its jurisdictional companies and apply to Bay State in the future may be impacted by the Department's findings and analysis in this proceeding.

8. No other party can adequately protect Bay State's interests.

WHEREFORE, for all the reasons set forth, Bay State Gas Company respectfully requests that the Department of Telecommunications and Energy grant its motion for leave to intervene as a full party and take any such further action as it may deem necessary and appropriate.

Respectfully submitted,

BAY STATE GAS COMPANY

By its attorney,



Patricia M. French
Senior Attorney
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Dated: November 13, 2003